UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|---|---|---|---|
| 09/894,235 | 06/27/2001 | Asami Shikida | 10785/5 | 5173 |

7590 07/08/2005

Brinks Hofer Gilson & Lione
P.O. Box 10395
Chicago, IL 60610

| EXAMINER | |
|---|---|
| JARRETT, SCOTT L | |
| ART UNIT | PAPER NUMBER |
| 3623 | |

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/894,235 | SHIKIDA ET AL. | |
| | Examiner | Art Unit | |
| | Scott L. Jarrett | 3623 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *27 June 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 December 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☒ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2/3/2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pape et al., U.S. Patent No. 6,664,897.

Regarding Claims 1 and 2 Pape et al. teach an agriculture (livestock) supply chain (food chain) system and method wherein a plurality of information (microdata, events, transaction data, etc.) is collected, warehoused, mined, reported on and managed. Pape et al. teach that the system enables the supply chain participants to improve the management of agricultural products from production (catch, farm) to consumption (Abstract; Column 1, Lines 16-39; Column 4, Lines 49-68; Figures 6A-6C).

More specifically Pape et al. teach an agriculture supply chain management system and method comprising:

- a plurality of supply chain participants including but not limited to producers (ranchers, farmers, growers, stockmen, feedlots), packers, distributors, retailers, and consumers (Column 1 Lines 28-39);

- a plurality of computers (terminals, devices) and one or more servers (Figures 1-5 and 9-12) connected via a communications network (e.g. Internet);

- enabling (guiding, requiring, helping, assisting, providing, etc.) the plurality of participants (e.g. producers) to enter (submit, input, etc.) data related to the agricultural product (transactional events, RFID; Column 4, Lines 49-68; Column 5, Lines 1-17; Figures 6A-6C, 37);

- converting/storing agriculture data inputted and collected into a plurality of databases (database format, transactional data, data mart, data warehouse; Column 4, Lines 55-65; Column 15, Lines 24-34; Column 19, Lines 49-68; Figures 7, 36, 41);

- enabling (guiding, providing, allowing, etc.) supply chain participants to search the agriculture data collected/inputted via selection criteria (search terms; Column 20, Lines 1-10; Column 31, Lines 13-55; Figures 27-28); and

- transmitting (displaying, providing, reporting, etc.) agriculture information (Column 30, Lines 13-65; Column 31, Lines 13-55; Figures 51-56).

Additionally Pape et al. further teach that the agriculture supply chain management system and method is "...is easily adaptable to other livestock species and other individual units of production..." (Column 10, Lines 62-65; Column 44, Lines 33-36).

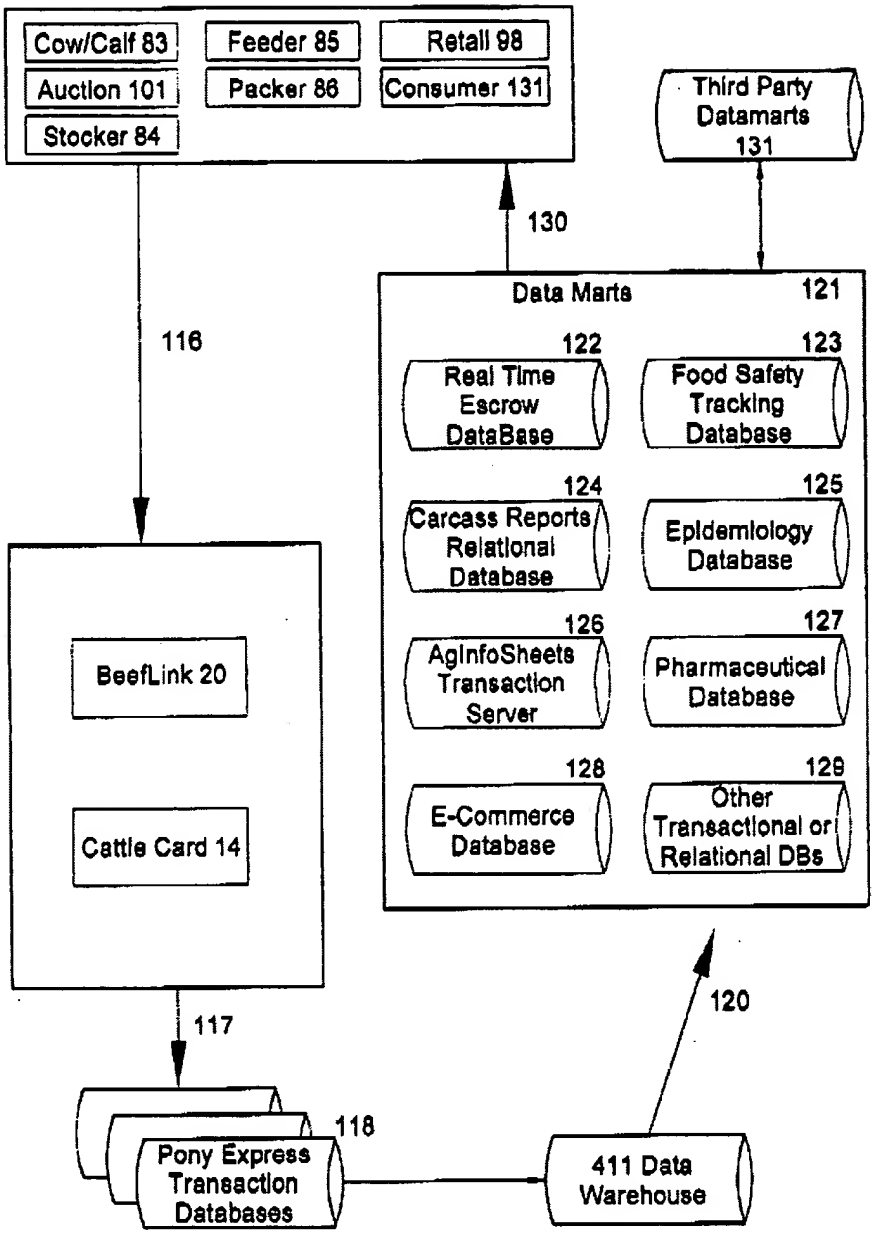


FIG. 7

Pape et al. does not expressly teach that the agriculture supply chain management system and method is utilized for the fish industry.

Official notice is taken that the fish (seafood, shellfish, aquaculture, marine, etc.) industry (business, entities, companies, etc.) is a supply chain consisting of a plurality of participants (e.g. producers, fishing co-ops, processors, retailers, etc.) and that these participants utilize supply chain (distribution, logistics, processing, etc.) methods and/or systems to effectively plan and manage their business.

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method as taught by Pape et al. would have benefited from being adapted to manage the fish supply chain; the resultant system enabling all participants in the fish supply chain to cooperatively optimize their operations by making improved/informed management decisions (Pape et al.: Column Abstract; Column 6, Lines 8-18).

Regarding Claims 3-4 Pape et al. teach that the agriculture supply chain management system and method provides a security mechanism, via user identification and password, that controls access to the system and the plurality of information contained therein (Column 11, Lines 45-49; Column 20, Lines 17-50).

Regarding Claims 5-6 Pape et al. teach that the agriculture supply chain management system and method provides limited access to agriculture information to a plurality of participants in the supply chain (Column 5, Lines 39-61) wherein the security mechanism enables (e.g. user identification/password; Column 11, Lines 45-49)

authorized users of the system with specified "authorization levels" (authorization levels determining access rights) to access the system and agriculture information contained therein (view; Column 19, Line 68; Column 20, Lines 1-5 and 18-23; Column 34, Lines 40-55; Column 38, Lines 28-68; Figure 16, Element 321).

Pape et al. further teaches that the agriculture supply chain system and method shares information with a plurality of external systems (e.g. data marts, data warehouses, data feeds, ETL, "Scooper", "ShareData", etc.; Column 15, Lines 25-35; Column 29, Lines 13-55)

Pape et al. teaches that the agriculture supply chain system and method provides for source verification for food safety purposes (Column 19, Lines 60-64).

While Pape et al. teach the ability to provide/filter content based on user authorizations Pape et al. does not expressly teach Public access to the system as claimed.

Official notice is taken that providing public (free, no fee, not private, etc.) access to information, specifically information related to health and/or safety (e.g. source verification), is old and well known in the art. For example it is old and well known in the art to provide food item/product traceability information to the public (e.g. monitoring bodies, consumers) in order to verify the source of a food product, such initiatives being undertaken for a plurality of reasons including but not limited to insuring the safety and

quality of a of a particular food supply chain (e.g. Hazard Analysis and Critical Control Points (HACCP)).

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method, with its ability to provide user authorizations based access to a plurality of food supply chain information (e.g. source verification) and share data with a plurality of external systems, would have benefited from enabling the public limited access to the agriculture supply chain information; the resultant system enabling safety/quality monitoring organizations (e.g. USDA) the ability to trace the lifecycle of food products (e.g. HACCP).

Regarding Claims 7-8 Pape et al. teach an agriculture supply chain management system and method further comprising agriculture information stored in the system (database, data mart, data warehouse) wherein some of the agriculture information is available to be purchased (for-fee; "Producers are able to purchase reports that benchmark....", Column 20, Lines 1-8 and 18-22; Figure 7).

Regarding Claims 9, 11 and 17-18 Pape et al. teach an agriculture supply chain management system and method comprising:

- a plurality of supply chain participants including but not limited to producers (ranchers, farmers, growers, stockmen, feedlots), packers, distributors, retailers, and consumers (Column 1 Lines 28-39;

- a plurality of computers (terminals, devices) and one or more servers (Figures 1-5 and 9-12) connected via a communications network (e.g. Internet);

- enabling (guiding, requiring, helping, assisting, providing, etc.) the plurality of participants to enter (submit, input, etc.) data related to the agricultural product and containing agriculture identification tag codes (transactional events, RFID; Column 4, Lines 49-68; Column 5, Lines 1-17; Figures 6A-6C, 37);

- converting/storing agriculture data inputted and collected into a plurality of databases (database format, transactional data, data mart, data warehouse; Column 4, Lines 55-65; Column 15, Lines 24-34; Column 19, Lines 49-68; Figures 36, 41);

- attaching to each agriculture entity (livestock, cattle, etc.) an identification tag (e.g. RFID, barcode, etc.; Column 5, Lines 17-28; Column 11, Lines 1-11);

- enabling (guiding, providing, allowing, etc.) supply chain participants desiring agriculture history/background information to search the agriculture data collected/inputted via selection criteria (search terms; Column 20, Lines 1-10; Column 31, Lines 13-55; Figures 27-28); and

- transmitting (displaying, providing, reporting, etc.) agriculture information based on selection criteria (Column 30, Lines 13-65; Column 31, Lines 13-55; Figures 51-56).

Pape et al. does not expressly teach that the agriculture supply chain management system and method is utilized for the fish industry.

Official notice is taken that the fish (seafood, shellfish, aquaculture, marine, etc.) industry (business, entities, companies, etc.) is a supply chain (food chain) consisting of a plurality of participants (e.g. producers, fishing co-ops, processors, retailers, etc.) and that these participants utilize supply chain (distribution, logistics, processing, etc.) methods and/or systems to effectively plan and manage their businesses.

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method as taught by Pape et al. would have benefited from being adapted to manage the fish supply chain; the resultant system enabling all participants in the fish supply chain to cooperatively optimize their operations by making improved/informed management decisions (Pape et al.: Column Abstract; Column 6, Lines 8-18).

Regarding Claim 12 Pape et al. teach an agriculture supply chain management system and method wherein the system enables authorized users/participants to purchase additional information (e.g. reports; Column 20, Lines 3-9).

Pape et al. is silent on the information purchasing process and subsequently the creation of invoices for information accessed as claimed.

Official notice is taken that charging for information access/resource utilized and subsequently generating invoices (bills) as a payment collection mechanism is old and very well known in the art.

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method, with its ability to provide for-fee reports, as taught by Pape et al. would have benefited from generating invoices in order to bill users of the system; the resultant system providing an efficient mechanism for collecting payment for information/report purchases made through the system.

Regarding Claims 13-14 Pape et al. teach an agriculture supply chain management system and method comprising:

- a plurality of supply chain participants including but not limited to producers (ranchers, farmers, growers, stockmen, feedlots), packers, distributors, retailers, and consumers (Column 1 Lines 28-39;

- a plurality of computers (terminals, devices) and one or more servers (Figures 1-5 and 9-12) connected via a communications network (e.g. Internet);

- enabling (guiding, requiring, helping, assisting, providing, etc.) the plurality of participants to enter (submit, input, etc.) data related to the agricultural product (transactional events, RFID; Column 4, Lines 49-68; Column 5, Lines 1-17; Figures 6A-6C, 37);

- converting/storing agriculture data inputted and collected into a plurality of databases (database format, transactional data, data mart, data warehouse; Column 4, Lines 55-65; Column 15, Lines 24-34; Column 19, Lines 49-68; Figures 7, 36, 41);

- enabling (guiding, providing, allowing, etc.) supply chain participants to search the agriculture data collected/inputted via selection criteria (search terms; Column 20, Lines 1-10; Column 31, Lines 13-55; Figures 27-28);

- providing limited access to agriculture information to the plurality of participants in the supply chain (Column 5, Lines 39-61) wherein a security mechanism enables (e.g. user identification/password; Column 11, Lines 45-49) authorized users of the system with specified "authorization levels" (category of the parties), authorization levels determining access rights, to access the system and agriculture information contained therein (view; Column 19, Line 68; Column 20, Lines 1-5 and 18-23; Column 34, Lines 40-55; Column 38, Lines 28-68; Figure 16, Element 321); and

- the utilization of the system to make future decisions/optimize the supply chain (Abstract; "...future management decisions...", Column 20, Lines 1-5).

Pape et al. does not expressly teach that the agriculture supply chain management system and method is utilized for the fish industry.

Official notice is taken that the fish (seafood, shellfish, aquaculture, marine, etc.) industry (business, entities, companies, etc.) is a supply chain consisting of a plurality of participants (e.g. producers, fishing co-ops, processors, retailers, etc.) and that these participants utilize supply chain (distribution, logistics, processing, etc.) methods and/or systems to effectively plan and manage their business.

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method as taught by Pape et al. would have benefited from being adapted to manage the fish supply chain; the resultant system enabling all participants in the fish supply chain to cooperatively optimize their operations by making improved/informed management decisions (Pape et al.: Column Abstract; Column 6, Lines 8-18).

While Pape et al. teach the utilization of common data mining technologies and that the system is utilized by participants to make future management/business decisions Pape et al. does not expressly teach that the agriculture supply chain management system and method is utilized for forecasting as claimed.

Official notice is taken that forecasting information, in particular supply chain information (e.g. demand, supply, yield, etc.), based on historical information is old and very well known and that such information provides a basis for a plurality of supply

chain planning and management decisions (e.g. inventory level planning, demand planning, etc.).

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method, with its ability to assist participants in making future management/optimization decisions (e.g. planning), as taught by Pape et al. would have benefited from forecasting a plurality of supply chain information; the resultant system enabling business to more effectively plan and manage their business utilizing forward looking information/data.

Regarding Claim 15 Pape et al. teach an agriculture supply chain management system and method that is "...easily adaptable to other livestock species and other individual units of production..." (Column 10, Lines 62-65).

Pape et al. does not expressly teach that the agriculture supply chain management system and method provides forecasted information or more specifically provides forecasted fish catch volume (e.g. supply) as claimed.

Official notice is taken that a plurality of fish industry specific metrics are utilized for the management and planning (current and future) of fishing including but not limited to catch volume, catch type, catch time/location, catch weight and the like.

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method, with its ability to be adapted for other animals, as taught by Pape et al. would have benefited from being adapted to manage the fish supply chain; the resultant system enabling all participants in the fish supply chain to cooperatively optimize their operations by making improved/informed management decisions (Pape et al.: Column Abstract; Column 6, Lines 8-18).

Regarding Claim 16 Pape et al. teach an agriculture supply chain management system and method wherein the system enables authorized users/participants to purchase additional information (e.g. reports) as discussed above.

Pape et al. is silent on the information purchasing process and subsequently the creation of invoices for information accessed as claimed.

Official notice is taken that charging for information/resources accessed and the subsequent invoicing for services/information rendered is old and very well known in the art.

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method as taught by Pape et al. would have benefited from generating invoices in order to bill users of the system;

the resultant system providing an efficient mechanism for collecting payment for information/report purchases made through the system.

Regarding 19 Pape et al. teach an agriculture supply chain management system and method comprising:

- a security mechanism, via user identification and password, that controls access to the system and the plurality of information contained therein (Column 11, Lines 45-49; Column 20, Lines 17-50; "..features a security system that filters content based upon user login and security level...", Column 31, Lines 19-21) and

- providing limited access to agriculture information to the plurality of participants in the supply chain (Column 5, Lines 39-61) wherein a security mechanism enables (e.g. user identification/password; Column 11, Lines 45-49) authorized users of the system with specified "authorization levels" to access filtered agriculture information/resources (Column 19, Line 68; Column 20, Lines 1-5 and 18-23; Column 34, Lines 40-55; Column 38, Lines 28-68; Figure 16, Element 321).

Pape et al. does not expressly teach that the agriculture supply chain management system and method is utilized for the fish industry.

Official notice is taken that the fish (seafood, shellfish, aquaculture, marine, etc.) industry (business, entities, companies, etc.) is a supply chain consisting of a plurality of participants (e.g. producers, fishing co-ops, processors, retailers, etc.) and that these

participants utilize supply chain (distribution, logistics, processing, etc.) methods and/or systems to effectively plan and manage their business.

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method as taught by Pape et al. would have benefited from being adapted to manage the fish supply chain; the resultant system enabling all participants in the fish supply chain to cooperatively optimize their operations by making improved/informed management decisions (Pape et al.: Column Abstract; Column 6, Lines 8-18).

Regarding Claims 20-21 Pape et al. teach an agriculture supply chain management system and method comprising:

- enabling (guiding, providing, allowing, etc.) supply chain participants to search the agriculture data collected/inputted via selection criteria (search terms; Column 20, Lines 1-10; Column 30, Lines 13-65; Column 31, Lines 13-55; Figures 27-28 and 51-56); and

- searching and displaying agriculture information based on identification tag codes attached to the bodies of agriculture/livestock (Column 31, Lines 50-55; Figures 51-56).

Regarding Claim 22 Pape et al. teach a multi-tiered and Internet enabled agriculture supply chain management system and method wherein the system is utilized

by supply chain participants to make future decisions/optimize the supply chain (Abstract; "...future management decisions...", Column 20, Lines 1-5).

While Pape et al. teach the utilization of common data mining technologies and that the system is utilized by participants to make future decisions Pape et al. does not expressly teach that the agriculture supply chain management system and method provides forecasted information as claimed.

Official notice is taken that forecasting information, in particular supply chain information (e.g. demand, supply, yield, etc.) based on historical information is old and very well known and that such forecasted information provides a basis for a plurality of supply chain planning and management decisions (e.g. inventory level planning, demand planning, etc.).

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method, with its ability to assist participants in making future management/optimization decisions (e.g. planning), as taught by Pape et al. would have benefited from forecasting a plurality of supply chain information; the resultant system enabling business to more effectively plan and manage their business utilizing forward looking information/data.

Regarding Claims 23-24 Pape et al. teach a supply chain management system and method comprising:

- a plurality of computers (terminals, devices) and one or more servers (Figures 1-5 and 9-12) connected via a communications network (e.g. Internet);

- a security mechanism, via user identification and password, that controls access to the system and the plurality of information contained therein (Column 11, Lines 45-49; Column 20, Lines 17-50; "..features a security system that filters content based upon user login and security level...", Column 31, Lines 19-21) and

- enabling (guiding, providing, allowing, etc.) supply chain participants to search the agriculture data collected/inputted via selection criteria (search terms; Column 20, Lines 1-10; Column 31, Lines 13-55; Figures 27-28); and

- provides limited access to agriculture information to the plurality of participants in the supply chain (Column 5, Lines 39-61) wherein a security mechanism enables (e.g. user identification/password; Column 11, Lines 45-49) authorized users of the system with specified "authorization levels" (category of the parties), authorization levels determining access rights, to access the system and agriculture information contained therein (view; Column 19, Line 68; Column 20, Lines 1-5 and 18-23; Column 34, Lines 40-55; Column 38, Lines 28-68; Figure 16, Element 321);

- searching and displaying agriculture information based on identification tag codes attached to the bodies of agriculture/livestock (Column 31, Lines 50-55; Figures 51-56); and

- transmitting (displaying, providing, reporting, etc.) agriculture information based on selection criteria (Column 30, Lines 13-65; Column 31, Lines 13-55; Figures 51-56).

Pape et al. does not expressly teach that the agriculture supply chain management system and method is utilized for the fish industry.

Official notice is taken that the fish (seafood, shellfish, aquaculture, marine, etc.) industry (business, entities, companies, etc.) is a supply chain consisting of a plurality of participants (e.g. producers, fishing co-ops, processors, retailers, etc.) and that these participants utilized supply chain (distribution, logistics, processing, etc.) methods and/or systems to effectively plan and manage their business.

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method as taught by Pape et al. would have benefited from being adapted to manage the fish supply chain; the resultant system enabling all participants in the fish supply chain to cooperatively optimize their operations by making improved/informed management decisions (Pape et al.: Column Abstract; Column 6, Lines 8-18).

Regarding Claim 25 Pape et al. teach an agriculture supply chain management system and method wherein the system is utilized by supply chain participants to make

future decisions/optimize the supply chain (Abstract; "...future management decisions...", Column 20, Lines 1-5).

While Pape et al. teach the utilization of common data mining technologies and that the system is utilized by participants to make future decisions Pape et al. does not expressly teach that the agriculture supply chain management system and method provides forecasted information as claimed.

Official notice is taken that forecasting supply chain information is old and very well known and provides a basis for a plurality of supply chain planning and management decisions (e.g. inventory level planning, demand planning, etc.).

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method, with its ability to assist participants in making future management/optimization decisions (e.g. planning), as taught by Pape et al. would have benefited from forecasting a plurality of supply chain information; the resultant system enabling business to more effectively plan and manage their business utilizing forward looking information/data.

Regarding Claim 26 Pape et al. teach a agriculture supply chain management system and method comprising:

- a plurality of computers (terminals, devices) and one or more servers (Figures 1-5 and 9-12) connected via a communications network (e.g. Internet);

- a security mechanism, via user identification and password, that controls access to the system and the plurality of information contained therein (Column 11, Lines 45-49; Column 20, Lines 17-50; "..features a security system that filters content based upon user login and security level...", Column 31, Lines 19-21) and

- enabling (guiding, providing, allowing, etc.) supply chain participants to search the agriculture data collected/inputted via selection criteria (search terms; Column 20, Lines 1-10; Column 31, Lines 13-55; Figures 27-28); and

- provides limited access to agriculture information to the plurality of participants in the supply chain (Column 5, Lines 39-61) wherein a security mechanism enables (e.g. user identification/password; Column 11, Lines 45-49) authorized users of the system with specified "authorization levels" (category of the parties) to access filtered agriculture information contained therein (view; Column 19, Line 68; Column 20, Lines 1-5 and 18-23; Column 34, Lines 40-55; Column 38, Lines 28-68; Figure 16, Element 321); and

- enables authorized users/participants to purchase additional information (e.g. reports; Column 20, Lines 3-8).

Pape et al. does not expressly teach that the agriculture supply chain management system and method is utilized for the fish industry.

Official notice is taken that the fish (seafood, shellfish, aquaculture, marine, etc.) industry (business, entities, companies, etc.) is a supply chain consisting of a plurality of participants (e.g. producers, fishing co-ops, processors, retailers, etc.) and that these participants utilized supply chain (distribution, logistics, processing, etc.) methods and/or systems to effectively plan and manage their business.

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method as taught by Pape et al. would have benefited from being adapted to manage the fish supply chain; the resultant system enabling all participants in the fish supply chain to cooperatively optimize their operations by making improved/informed management decisions (Pape et al.: Column Abstract; Column 6, Lines 8-18).

Pape et al. is silent on the information purchasing process and subsequently the creation (computing) of invoices for information accessed as claimed.

Official notice is taken that charging for access to information/resources and invoicing users for access is old and very well known in the art.

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method as taught by Pape et al. would have benefited from generating invoices in order to bill users of the system;

the resultant system providing an efficient mechanism for collecting payment for information/report purchases made through the system.

Regarding Claim 27 Pape et al. does not expressly teach that the system and method provide forecasted information as claimed.

Official notice is taken that providing forecasted information, in particular supply chain information (e.g. demand, supply, yield, etc.) based on historical information collected (e.g. stored in a data mart/warehouse) is old and very well known and that such information provides a basis for a plurality of supply chain planning and management decisions (e.g. inventory level planning, demand planning, etc.).

It would have been obvious to one skilled in the art at the time of the invention that the agriculture supply chain management system and method, with its ability to assist participants in making future management/optimization decisions (e.g. planning), as taught by Pape et al. would have benefited from forecasting a plurality of supply chain information; the resultant system enabling business to more effectively plan and manage their business utilizing forward looking information/data.

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Montanari et al., U.S. Patent No. 5,478,990, teach a method and system for managing food (meet, fish, animals, etc.) industry supply chain information wherein the system tracks/monitors and provides historical food production information from production to consumption based on Hazard Analysis and Critical Control Points (HACCP). Montanari et al. further teach that the system and method utilizes a tracking label attached to the food product and enables access to information related to the food product (byproducts, etc.) based on the foods identification number.

- Aughenhaugh, Timothy, U.S. Patent No. 6,002,984, teaches a method and system for agriculture management wherein the system enables users to store and analyze agriculture production data/information (production factors).

- Hong et al., U.S. Patent No. 6,036,087, teaches a method and system for providing food/agriculture product/historical information wherein food items are bar coded for tracking and reporting over a computer communications network.

- Haagensen, Peter, U.S. Patent No. 6,104,966, teaches a method and system for tracking food products/by-products from production to consumption (e.g. meat processing) wherein the tracking system does not requiring affixing labels to the food products.

- Newman, Paul, U.S. Patent No. 6,148,249, teaches an agriculture/food industry supply chain information management system and method wherein the system tracks and predicts food production distribution from production to consumption.

- Reep, Paul, U.S. Patent No. 6,327,569, teach an agriculture supply chain (farmer/grower, broker, manufacturer, retailer, consumer) management system wherein the system links real-time product/harvest information to an agriculture marketplace.

- Jorgenson et al., U.S. Patent No. 6,778,872, teaches an agriculture supply chain management system and method wherein the system enables a plurality of participants to manage and optimize an agriculture/food industry supply chain over a communications network (Internet). Andersson further teaches that the system stores a plurality of distribution/supply chain information in a plurality of databases, provides participants access to information to based on permissions/access control mechanisms, enables payments for services rendered, the management contracts and the like.

- Andersson, H, U.S. Patent No. 6,878,052, teaches a food industry/agriculture information management system and method wherein the system enables users to track and report on the quality and origin of agricultural products utilizing electronic tagging over a communications network (Internet).

- Kantenai, Satoshi, JP02002132856, teaches a system and method for modeling agricultural product distribution.

- Hara, Kozo et al., JP02004094688, teach an agriculture supply chain management system and method for providing product production/distribution certification over a communications network.

- Poirer, Charles et al., E-Supply Chain, teaches a plurality of well known tools, methods, techniques, approaches and systems for managing supply chains.

- Wisefish.com: Maritech's initiatives on traceability, teaches the commercial availability, for 15 years, of a seafood traceability product known as Wisefish. The article further teaches that Maritech was involved in the Tracefish project (traceability of fish products).

- Wisefish.org – web pages (November 2001), teaches a commercially available suite of information management systems (products) for the fish business/supply chain including but not limited to WiseFishing (catch information can be viewed, plans & forecasts can be made), WiseProduction, WiseSales (trace fish from catch to consumer sales), WiseFarming, WiseTrading, WiseFresh and WiseWeb. Wisefish.org further teaches the implementation of a fish traceability system (production system) deployed for the fishing industry wherein the system enables users to "...track from the ocean right to a can level."

- Olsen, Petter, Research News: Tracefish, teaches a fish industry project, running from 2000-2002, to provide a method for tracing fish from catch/farm to consumers.

- Olsen, Petter, Traceability of Fish Products, teaches an proposal for quality monitoring and traceability of a food supply chain.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott L. Jarrett whose telephone number is (571) 272-7033. The examiner can normally be reached on Monday-Friday, 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hafiz Tariq can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SJ
7/7/2005

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600